

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

CIRBA INC. (d/b/a DENSIFY)  
and CIRBA IP, INC.,

Plaintiffs/Counter-  
Defendants,

v.

VMWARE, INC.,

Defendant/Counter-  
Plaintiff.

C.A. No. 19-742-LPS

**STIPULATION AND [PROPOSED] ORDER  
TO TAKE THIRD-PARTY DEPOSITION OUT OF TIME**

IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their undersigned counsel and subject to the approval of the Court, that VMware, Inc. shall complete the deposition of Mr. Ben Fathi, a third party, on November 7, 2019, notwithstanding the November 6, 2019 close of fact discovery, due to Mr. Fathi's unavailability prior to that date.

All other dates remaining in the Scheduling Order, unless previously amended by Order of the Court, shall remain the same.

Dated: October 15, 2019

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SO ORDERED this \_\_\_\_ day of October, 2019.

\_\_\_\_\_  
Chief, United States District Judge